




Order Filed on October 17, 2018  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

<b>UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY</b>	
<b>Caption in Compliance with D.N.J. LBR 9004-2(c)</b> MILSTEAD & ASSOCIATES, LLC By: Andrew M. Lubin Atty. ID: AL0814 1 E. Stow Road Marlton, NJ 08053 (856) 482-1400 File No. 215342-4 Attorneys for Secured Creditor: Select Portfolio Servicing, Inc. as servicing agent for U.S. Bank National Association, as trustee, on behalf of the holders of the CSMC Mortgage-Backed Pass- Through Certificates, Series 2007-3	
In Re:	Case No.: 16-12529-RG Chapter 13
Maria Vilmar Batista fka Maria Darrigo	Hearing Date: October 3, 2018 Time: 10:30 a.m.  Judge: Rosemary Gambardella

**CONSENT ORDER RESOLVING  
CERTIFICATION OF DEFAULT**

The relief set forth on the following pages, numbered two (2) through four (4) is hereby  
**ORDERED.**

**DATED: October 17, 2018**

  
\_\_\_\_\_  
Honorable Rosemary Gambardella  
United States Bankruptcy Judge

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Upon the filing of a certification of default by Milstead & Associates, LLC, Attorneys for the Secured Creditor, Select Portfolio Servicing, Inc. as servicing agent for U.S. Bank National Association, as trustee, on behalf of the holders of the CSMC Mortgage-Backed Pass-Through Certificates, Series 2007-3 ("Mortgagee"), under Bankruptcy Code section 362(d) for relief from the Automatic Stay as to certain real property as set forth in the pleadings, and the parties, by and through their respective counsel, having consented to the entry of this Order, and for good cause shown, it is ORDERED as follows:

1. The automatic stay as provided for by 11 U.S.C. §362 shall remain in full force and effect conditioned upon the terms and conditions set forth herein.

2. Mortgagee is the holder of a mortgage which is a lien on real property owned by Debtor known as and located at 222 Lafayette Ave Unit B, Cliffside Park, NJ 07010 (the "Property").

3. The parties certify that there is a post-petition delinquency which is to be cured pursuant to the terms of this Consent Order, said delinquency consisting of the following:

8 Payments: 2/1/2018 – 9/1/2018 @ \$2,529.49	\$20,235.92
Suspense Balance	(\$1,382.52)
<b>Total Post-Petition Arrears</b>	<b>\$18,853.40</b>

4. Commencing on October 1, 2018, Debtor shall resume making regular monthly mortgage payments currently in the amount of \$2,529.49.

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5. The total post-petition arrears in the amount of **\$18,853.40** will be capitalized into and paid through the Debtor's Chapter 13 Plan. The parties acknowledge the Chapter 13 Trustee is holding non-exempt proceeds due to the sale of the Debtor's former property located at 451 Lawton Avenue, Cliffside Park, NJ, and that the Chapter 13 Trustee shall first apply the said non-exempt proceeds to paying unsecured creditors, prior to the non-exempt proceeds being used to pay other creditors.

6. All payments are to be mailed to Select Portfolio Servicing, Inc., P.O. Box 65250, Salt Lake City, UT 84165-0250. Debtor shall reference the loan number on any and all payments made pursuant hereto.

7. Secured Creditor is authorized to file an amended proof of claim to include the post-petition arrears amount.

8. Should Debtor's regular monthly payment amount change, Debtor shall be notified of such change by Mortgagee, and the monthly payment amount due under the terms of this Consent Order shall change accordingly.

9. In the event that Debtor is in default pursuant to the terms and conditions of this Consent Order for a period of thirty (30) days, or if any of the funds paid fail to clear for insufficient funds or are dishonored for any reason, Secured Creditor may send Debtor and Debtor's Counsel a written notice of default of this Consent Order. If the default is not cured within ten days of the date of such notice, Mortgagee may obtain an Order Vacating the Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating any such payment(s) more than thirty (30) days in default. In the event that a notice of

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default is forwarded, it is agreed Secured Creditor may file a Certification of Default absent a full cure.

10. A copy of any Certification of Default and the proposed order must be served upon the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court. A certificate of service shall be filed by counsel for Mortgagee evidencing same.

11. In the event the instant bankruptcy case is converted to a case under Chapter 7, Debtor shall cure the pre-petition and post-petition mortgage arrears within ten (10) days from the date of such conversion. Should Debtor fail to cure said arrears within the ten (10) day period, such failure shall be deemed a default under the terms of this stipulation and Mortgagee may send Debtor and Debtor's counsel a written notice of default. If the default is not cured within ten (10) days from the date of said notice, counsel for Mortgagee may file a Certification of Default with the Court, upon notice to the trustee, Debtor, and Debtor's counsel, and the Court shall enter an Order granting relief from the Automatic Stay as to the Property.

**CONSENT TO ENTRY OF THE ABOVE ORDER IS HEREBY GIVEN:**

/s/ Andrew M. Lubin

/s/ Michael G. Boyd

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Andrew M. Lubin, Esquire  
Milstead & Associates, LLC  
Attorneys for Mortgagee

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Michael G. Boyd, Esquire  
Attorney for Debtor

Date: 10/2/2018

Date: 10/1/2018

**Certificate of Notice Page 5 of 5**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Maria Vilmar Batista  
Debtor

Case No. 16-12529-RG  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Oct 17, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 19, 2018.

db +Maria Vilmar Batista, 222 Lafayette Avenue, Unit B, Cliffside Park, NJ 07010-2506

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 19, 2018

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 17, 2018 at the address(es) listed below:

Andrew M. Lubin on behalf of Creditor Select Portfolio Servicing, Inc. as servicing agent for U.S. Bank National Association, as Trustee bkecf@milsteadlaw.com, alubin@milsteadlaw.com  
Andrew M. Lubin on behalf of Creditor U.S. Bank National Association, as trustee, on behalf of the holders of the CSMC Mortgage-Backed Pass-Through Certificates, Series 2007-3 bkecf@milsteadlaw.com, alubin@milsteadlaw.com  
Denise E. Carlon on behalf of Creditor U.S. Bank National Association et al... dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
Jill Manzo on behalf of Creditor SELECT PORTFOLIO SERVICING, INC., as servicer for U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, SUCCESSOR IN INTEREST TO BANK OF AMERICA, NATIONAL ASSOCIATION AS TRUSTEE SUCCESSOR BY MERGER TO LASALLE B bankruptcy@feinsuch.com  
Marie-Ann Greenberg magecf@magtrustee.com  
Michael G. Boyd on behalf of Debtor Maria Vilmar Batista michaelboydlaw@gmail.com

TOTAL: 6